



**Agenda Item Number: 2006-8-7D**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** August 9, 2006

**Department:** Zoning, Building, Planning & Environmental Health    **Staff Contacts:** Sanford Fish, Director  
Julie M. Baca, Deputy County Manager  
for Community Services Division

**TITLE:** Text Amendment to the Bernalillo County Code, Appendix A, Zoning Ordinance #213, adding definitions, updating permissive and conditional uses in the R-2, O-1, C-N, C-1, C-2 and C-LI zones, and adding language regarding low-water use landscaping.

**ACTION:** Introduction and motion to approve publication of proposed code amendments.

### **SUMMARY:**

The attached ordinance proposes several updates to the Zoning Ordinance. These items respond to issues that have arisen since the most-recent amendments were completed, as well as clarifications and corrections identified in our continuing review of the ordinance. The amendments include:

- Adding definitions for Day Spa and Townhouse
- Adding Townhouse as a permissive use in the R-2 zone
- Adding Day Spa as a permissive use beginning in the O-1 zone
- Deleting Bar, lounge and liquor store as a conditional use in the C-N zone
- Adding Emissions Testing as permissive under automobile repair in the C-1 zone
- Making Schools and related facilities conditional rather than permissive in the O-1 and C-1 zones
- Removing Animal Hospitals and Kennels as conditional in the C-1 zone (Commercial Animal Establishments are listed as permissive in C-1 and by definition include both kennels and animal hospitals)
- Removing watchman/caretaker residences as conditional in the C-2 zone (watchman/caretaker residences are first listed as conditional in C-1 and all C-1 conditional uses are included as permissive in C-2)
- Correcting the prohibited uses section of the C-LI zone so that residential elements of a mixed use development are allowed
- Updating the off street parking standards for nonresidential uses to apply to the C-N and C-LI zones
- Adding language encouraging low-water use landscaping

The proposed changes have been sent to all neighborhood associations in the County for their review and were posted on the County web site. Comments received to date are attached. The County Planning Commission reviewed this proposed amendment at their July 12, 2006, public hearing. The CPC voted unanimously to recommend approval.

**ATTACHMENTS:**

1. Proposed **Ordinance 2006-\_\_**
2. Comments received through CPC hearing date

**FISCAL IMPACT**

None

**STAFF ANALYSIS SUMMARY****COUNTY MANAGER**

The proposed amendments address a number of enforcement and administrative issues in the current code. They have been reviewed by the Planning Commission and submitted to all neighborhood associations for their review and comments. I recommend Board approval to publish the proposed amendments. TL 7/21/06

**DEPUTY COUNTY MANAGER FOR COMMUNITY SERVICES**

I recommend the Board approve the introduction and publication of the proposed amendments to the BC Code, Zoning Ordinance #213 as noted herein, and as approved by the County Planning Commission at their meeting of July 12<sup>th</sup>. Proposed changes were sent to all neighborhood organizations in the county and were posted on the county's website. Julie M. Baca, 07/19/06

**LEGAL**

The proposed amendments to the Zone Code are consistent with the New Mexico Zoning Act (3-21-1 et seq.) and will help facilitate uniform enforcement of the Code. PFT 7/14/06

**FINANCE**

<b>Budget</b>	There is no fiscal impact with the introduction and approval of proposed code amendments. Geri Maestas, Financial Services Administrator III 7/14/06
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